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STATE OF SOUTH CAROLINA) IN THE COURT OF COMMON PLEAS
COUNTY OF SPARTANBURG)
Betty J. Bolin,)
Plaintiff,) SUMMONS
vs.)) C.A. No.: 2018-CP-42-
Wal-Mart Stores East, L.P.,)
Defendant. TO THE ABOVE NAMED DEFENDA	

You are hereby summoned and required to answer the Complaint in this action, a copy of which is attached hereto and herewith served upon you, and to serve a copy of your answer to same upon the subscribed at 178 West Main Street, Post Office Box 3547, Spartanburg, South Carolina 29304, within thirty (30) days after the service of same, exclusive of the day of such service. If you fail to answer same within thirty (30) day period, the Plaintiff will apply to the Court for the relief demanded therein and judgment will be taken against you be default.

HARRISON|WHITE, P.C.

s/John B White, Jr.

John B. White, Jr. S.C. Bar No.: 5996 Ryan F. McCarty S.C. Bar No.: 74198

PO Box 3547

Spartanburg SC 29304

864-585-5100

Attorneys for Plaintiff

Spartanburg, South Carolina

December 7, 2018

STATE OF SOUTH CAROLINA) IN THE COURT OF COMMON PLEAS
COUNTY OF SPARTANBURG)
Betty J. Bolin,)
Plaintiff,)) COMPLAINT
vs.))) C.A. No.: 2018-CP-42-
Wal-Mart Stores East, L.P.,)
Defendant.	

Plaintiff, by and through her undersigned counsel of record, would show unto this honorable Court the following:

GENERAL ALLEGATIONS

- 1. Plaintiff Betty Bolin (hereinafter, "Plaintiff") is a citizen and resident of the County of Spartanburg, State of South Carolina.
- 2. Defendant Wal-Mart Stores East, L.P., (hereinafter, "Defendant") is, upon information and belief, a limited partnership formed under the laws of Delaware and is licensed to do business and conducts business, providing products and services in the State of South Carolina, including in the County of Spartanburg.
- 3. The events that give rise to this action occurred in the County of Spartanburg, State of South Carolina.
- 4. This Court has jurisdiction of the parties and the subject matter of this action, and venue is proper in this Court.
- 5. On or about December 30, 2015, Defendant was the owner and operator of Wal-Mart Store #2806 located at 4000 Boiling Springs Highway, in the County of Spartanburg, State of South Carolina.

- 6. On December 30, 2015, Plaintiff went onto Defendant's premises to shop when she was caused to slip and fall as a result of water or some other transitory substance on the floor of Defendant's store.
- 7. As a direct and proximate result of said fall, Plaintiff suffered injuries and damages as set forth hereinbelow.
- 8. Defendant knew, or, in the exercise of reasonable care should have known, of the condition, or Defendant created the condition either through the acts of its employees, in its negligent maintenance of equipment, or in its negligent method of operation, and Defendant should have corrected the condition or warned Plaintiff of its existence.

PLAINTIFF'S CAUSE OF ACITON (Negligence)

- 9. Plaintiff incorporates herein by reference each and every allegation set forth hereinabove as if repeated verbatim.
- 10. Defendant was, by and through its authorized agents and servants, then and there employed at its Store #2806, negligent, grossly negligent, reckless, willful and wanton in the following particulars, to wit:
 - (a) In failing to use reasonable care to see that its entrances, exits, aisles and passageways within its store were safe and clear of obstruction or dangerous condition so as to avoid injury to its patrons and customers such as the Plaintiff herein;
 - (b) In failing to safely and promptly remove the fluid from the floor of the subject store so as to avoid injury to its patrons and customers including Plaintiff herein;
 - (c) In failing to promptly and adequately warn Defendant's patrons and customers, including Plaintiff herein, of the dangerous condition then and there existing;
 - (e) In failing to promptly and adequately barricade the dangerous condition so as to avoid any injury to Defendant's patrons and customers including Plaintiff herein; and

(f) In generally failing to exercise the degree of care and caution that a reasonably prudent store owner would have exercised under the circumstances then and there existing;

All of which were the direct and proximate cause of the injury and damages to the Plaintiff herein and were in violation of the law of the State of South Carolina.

- 11. As a direct and proximate result of the aforementioned acts of negligence, gross negligence, recklessness, willfulness, and wantonness on behalf of Defendant, Plaintiff suffered injuries to her person that required expensive and extensive medical care and treatment.
- 12. As a further direct and proximate result of the aforementioned acts of negligence and gross negligence on behalf of Defendant, Plaintiff endured, and continues to endure physical pain and suffering and loss of enjoyment of life.

WHEREFORE, the Plaintiff herein prays for judgment against Defendant for both compensatory and punitive damages in amounts to be determined to be appropriate by the Court at the trial of this case, for the costs of this action, and for such other and further relief that this Court deems just and proper.

HARRISON|WHITE, P.C.

s/John B. White, Jr.

John B. White, Jr. S.C. Bar No.: 5996

Ryan F. McCarty

S.C. Bar No.: 74198

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Attorneys for Plaintiff

Spartanburg, South Carolina

December 7, 2018